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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/265,946	03/11/1999	NABIL HUSSEINI	032391-002	5100

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EXAMINER

SEMUNEGUS, LULIT

ART UNIT PAPER NUMBER

3641

DATE MAILED: 05/20/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/265,946

Applicant(s)

HUSSEINI ET AL.

Examiner

Lulit Semunegus

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).

## Status

- 1) ☒ Responsive to communication(s) filed on 09 May 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 1-20, 114 and 115 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-20, 114 and 115 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

## Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- a) ☐ All b) ☐ Some \* c) ☐ None of the CERTIFIED copies of the priority documents have been:
1. ☐ received.
2. ☐ received in Application No. (Series Code / Serial Number) \_\_\_\_\_.
3. ☐ received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

- 14) ☒ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. & 119(e).

## Attachment(s)

- 15) ☐ Notice of References Cited (PTO-892)
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_.
- 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.
- 19) ☐ Notice of Informal Patent Application (PTO-152)
- 20) ☐ Other: \_\_\_\_\_.

## **DETAILED ACTION**

### ***Election/Restrictions***

1. Applicant's election of claims 1-20 and 114-115 in Paper No. 29 is acknowledged.

### ***Response to Arguments***

2. Applicant's arguments with respect to claims 1-20 and 114-115 have been considered but are moot in view of the new ground(s) of rejection. Applicant's arguments (paper # 24) are directed to the new grounds of rejection where applicant argues that Ringdal teaches a cartridge having a two-piece projectile assembly including the projectile 7 having an envelope 9. Applicant's stance is that it is unclear whether or not the envelope 9 of Ringdal is actually a part of the projectile or a separate piece. In any event, the claimed language of "comprising" does not exclude an extra piece around a one-piece projectile. Assuming that the envelope is a separate piece, the projectile itself is still considered a one-piece projectile with an envelope. Therefore, newly elected claims 1-20 and 114-115 are rejected in view of Ringdal as shown below.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-2, 20 and 114-115 are rejected under 35 U.S.C. 102(b) as being anticipated by Ringdal (2,862,446).

Ringdal discloses an ammunition article, comprising: an injection molded plastic cartridge casing body (3), having a first end and a second end; and a one-piece projectile (7) attached to the first end of the cartridge casing body, wherein the cartridge casing body is injection molded around at least a portion of the projectile (col. 2, lines 15-19) and a base (1) where the body (3) includes an interior volume including a first interior portion defined by the portion of the projectile and a second interior portion having a smaller diameter than the first interior portion and being separated from the first interior portion by a shoulder (8), the shoulder being of sufficient size to prevent axial movement of the projectile into the second interior portion (fig. 1-2)

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 3-5 are rejected under 35 U.S.C. 103(a) as being unpatentable over Ringdal (2,862,446).

As to claims 3-5, Ringdal disclose all the limitations of claims 3-5 as applied to the claims 1-2, 20 and 114-115 above, except the projectile is attached to the cartridge casing body by heat bond, by adhesive bond or by flange method. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to attach the projectile to the cartridge casing body by heat bond, adhesive bond or by flange instead

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of molding as described above in Ringdal since these methods of attachments are well known in the art.

6. Claims 6-19 are rejected under 35 U.S.C. 103(a) as being unpatentable Ringdal (2,862,446) in view of Boutwell (3,144,827).

As to claims 6-8 and 10-18, Ringdal teaches all the limitations of claims 6-8 and 10-18 as applied to the claims 1-2, 20 and 114-115 above, except a molded plastic base attached to the second end of the cartridge casing body and is attached to the cartridge casing body by various methods of attachment. Boutwell teaches a base (1) which is attached to the casing body by locking mechanism and includes a propellant charge and primer (9). At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use a plastic base and attach this base with casing body using locking groove (3,5) as taught by Boutwell as well as screw threads, ultrasonic weld, interference fit, adhesive and heat bond since these methods of attachments are well known in the art and create a reusable and replaceable base.

As to claims 9 and 19, Ringdal and Boutwell teach the claimed invention except for electronic ignition and where the casing body is formed of a combustible material. At the time of the invention, it would have been obvious to a person of ordinary skill in the art to use electronic ignition instead of a primer for igniting the propellant for greater accuracy and consistent ignition and use combustible molded material for better sealing around the projectile.

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**Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Lulit Semunegus whose telephone number is (703) 306-5960. The examiner can normally be reached on Mon-Friday.

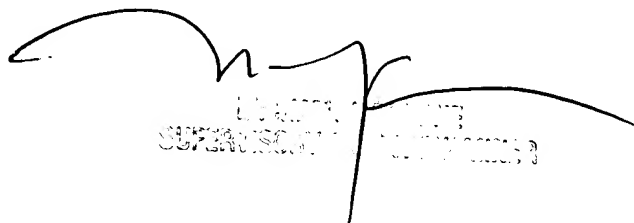
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Michael Carone can be reached on (703) 306-4198. The fax phone numbers for the organization where this application or proceeding is assigned are (703) 305-7687 for regular communications and (703) 305-7687 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-1113.

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May 16, 2003

Lulit Semunegus  
Examiner  
Art Unit 3641



Handwritten signature of Lulit Semunegus, with a faint rectangular stamp containing the text "LULIT SEMUNEGUS" and "ART UNIT 3641" visible below the signature.